

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. Applicant/Contact name and address: Palisade Apartments c/o JoLynn Anderson, P.O. Box 1138, Miles City, MT 59301
2. Type of action: Application for Beneficial Water Use Permit 42K 30112844
3. Water source name: Yellowstone River
4. Location affected by project: Section 21, T8N, R47E, Custer County
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: The applicant proposes to divert water from the Yellowstone River, by means of a pump, from March 15 to November 15 at 45 GPM up to 1.0 AF, from a point in the SWSWSE Section 21, T8N, R47E, Custer County, for lawn and garden irrigation use from March 15 to November 15. The Applicant proposes to irrigate lawn and garden on 0.4 AC The place of use is generally located in the W2SWSE and E2SESW Section 21, T8N, R47E, Custer County. The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.
6. Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)
Montana Department of Natural Resources and Conservation
Montana Department of Environmental Quality
Montana Department of Fish, Wildlife and Parks
Montana Natural Heritage Program
Montana Sage Grouse Habitat Conservation Program
United States Natural Resource Conservation Service

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity – The Montana Department of Fish, Wildlife and Parks does not consider the reach of the Yellowstone River in the project area as either chronically or periodically

dewatered. The appropriation of 1.0 AF of water per year will not affect water quantity in the Yellowstone River.

Determination: No impact

Water quality – The Yellowstone River in the project area is not listed as water quality impaired or threatened by the Montana Department of Environmental Quality. The removal and use of 1.0 AF/YR of water for lawn and garden irrigation from the river has no potential to affect water quality in the river.

Determination: No impact

Groundwater – There will be some increase in groundwater locally due to infiltration from the lawn and garden irrigation. No substantial change in groundwater quantity or quality is anticipated.

Determination: No impact

DIVERSION WORKS – The means of diversion is already in place and consists of a pump on the bank of the river and a pipeline to the place of use. No impacts to the channel or riparian areas are predicted and no barriers, dams or wells are included in the project.

Determination: No impact

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species – According to the Montana Natural Heritage Program, there is one plant species of concern in the project area (Schweinitz's Flatsedge) and eleven animal species of concern. The animal species include three birds, two reptiles and six fish species. The habitat for these animal species is large prairie rivers and associated riparian forest. The proposed project anticipates no change to the river system and there are no riparian forest areas nearby. The project area is within general Sage Grouse habitat as mapped by the Montana Sage Grouse Habitat Conservation Program. A letter from Carolyn Sime, Program Manager, dated August 23, 2017, indicates that the proposed project is consistent with Sage Grouse habitat conservation strategy.

Determination: No impact

Wetlands – There are no wetlands in the project area and none are proposed.

Determination: No impact

Ponds – There are no ponds in the project area and none are proposed.

Determination: No impact

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE – The geology of the area consists of steep bluffs from the Yellowstone River to a bench where the apartment building is located. The lawn

and garden irrigation is primarily small plots of grass and trees around the building. The soil by the building is Delpoint-Yamacall-Cabbart loam. Lawn and garden irrigation will not affect soil quality or stability and will not cause saline seeps.

Determination: No impact

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS – No change in vegetative cover is anticipated and because the conveyance and diversion are already in place no construction is necessary and the establishment or spread of noxious weeds is unlikely. It will be the responsibility of the property owner to monitor and control noxious weeds.

Determination: No impact

AIR QUALITY – Lawn and garden irrigation on 0.4 AC has no potential to affect air quality.

Determination: No impact

HISTORICAL AND ARCHEOLOGICAL SITES – The project is not located on State or Federal Lands.

Determination: Not applicable

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY – No demands on environmental resources not addressed above are predicted.

Determination: No impact

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS – There are no known locally adopted environmental goals or plans.

Determination: No impact

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES – The project is not located near any wilderness areas and no access to recreational or wilderness areas occurs in the project area.

Determination: No impact

HUMAN HEALTH - Lawn and garden irrigation on 0.4 AC has no potential to affect human health.

Determination: No impact

PRIVATE PROPERTY - Assess whether there are any government regulatory impacts on private property rights.

Yes___ No X___ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: Not applicable

OTHER HUMAN ENVIRONMENTAL ISSUES - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

Impacts on:

- (a) Cultural uniqueness and diversity? No impact
- (b) Local and state tax base and tax revenues? No impact
- (c) Existing land uses? No impact
- (d) Quantity and distribution of employment? No impact
- (e) Distribution and density of population and housing? No impact
- (f) Demands for government services? No impact
- (g) Industrial and commercial activity? No impact
- (h) Utilities? No impact
- (i) Transportation? No impact
- (j) Safety? No impact
- (k) Other appropriate social and economic circumstances? No impact

2. *Secondary and cumulative impacts on the physical environment and human population:*

Secondary Impacts: None

Cumulative Impacts: None

3. *Describe any mitigation/stipulation measures:* None

4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:* The only alternative to the proposed project is a no-action alternative. There are no environmental issues recognized in connection with the proposed project and the

no-action alternative prevents the Applicant from irrigating lawn and garden areas around an existing apartment building.

PART III. Conclusion

1. Preferred Alternative Issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.

2 Comments and Responses: None

3. Finding:
Yes___ No_**X**___ Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: No environmental impacts are recognized as a result of the proposed project and an environmental assessment is the appropriate level of analysis.

Name of person(s) responsible for preparation of EA:

Name: Mark Elison

Title: Deputy Regional Manager

Date: 9/14/2017